

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to Fig. 1 and replaces the original drawing sheet containing Figs. 1-3.

The changes to this figure are further discussed in the Remarks beginning on page 9 of this paper.

No changes have been made to Figs. 2 and 3.

Attachment: Replacement drawing sheet including Figs. 1-3

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated April 23, 2007 (hereinafter Office Action) have been considered but are believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

With respect to the objections to Fig. 1, Applicant has amended the drawing to label Fig. 1 (and only Fig. 1) as prior art. Regarding the alleged informalities, Applicant notes that consistent with 37 C.F.R. §1.83(a) and MPEP §608.02(V)(o), the indicators “Operator”, “Vendor”, “SyncML”, “Ringing Tones”, “Screen Saver”, and “/” are the labels for the respective objects in the tree illustrated in Fig. 1. These labels are used to clearly refer to the respective objects in the Specification; therefore, further identification of these objects should not be necessary. Applicant accordingly requests that the objections be removed.

With respect to the objection to the Abstract, the Abstract has been amended in accordance with the Examiner’s suggestions; therefore, the objection is believed to be overcome. Applicant accordingly requests that the objection to the Abstract be removed.

With respect to the objection to page ten of the Specification, paragraph [0035] has been amended to correct the verb tense. With respect to the objection to page two of the Specification, the objected-to language does not appear in the cited portion of page two. Instead of the asserted “a unconditional message”, line thirty-one reads “a unidirectional message” where the use of the article “a” is appropriate. If the objected-to language is present elsewhere in the Specification or the objection is maintained, Applicant requests further clarification and an opportunity to respond. As both of the objections to the Specification have been overcome, Applicant requests that the objections be removed.

With respect to the wording objections to line one of each of the dependent claims, Applicant notes that beginning a dependent claim with the word “The” is not a requirement and the original claim language correctly refers back to the appropriate independent claims; however, in an effort to facilitate prosecution, each of the dependent claims has been

amended in accordance with the Examiner's suggestions. These changes are believed to overcome the Examiner's objections; therefore, Applicant requests that the objections be removed.

With respect to the objection to the use of the language "one management object" in Claim 1, the objected-to claim language has been removed from the claim. With respect to the suggestion to amend such language in Claim 3, Applicant traverses as the proposed change would alter the scope and meaning of the claim. It is noted that the applicant is afforded the opportunity to point out and claim the subject matter regarded as the invention. Thus, the objection to Claim 1 is moot and the objection to Claim 3 is improper. Applicant accordingly requests that both of the objections be removed.

With respect to the objection to the term "a client device" in Claim 2, the above-discussed changes to Claim 1 provide antecedent basis for the term; therefore, the objection is moot. Applicant accordingly requests that the objection be removed.

With respect to the objections to lines four and ten of Claim 3, the claim has been amended in accordance with the Examiner's suggestions. Thus, the objections are believed to be overcome, and Applicant requests that each of the objections be removed.

With respect to the objections to the use of the language "a new management object" in Claims 8 and 10, Applicant respectfully traverses. The proposed changes are improper and would alter the meaning of the language by contradicting the use of the term "new". Thus, as the apparent basis for the objection is improper, Applicant requests that the objection be removed. If the objection is maintained, Applicant requests further clarification and an opportunity to respond.

With respect to the objections to Claim 11, the claim has been amended in accordance with the Examiner's suggestions. Thus, the objections are believed to be overcome, and Applicant requests that each of the objections be removed.

Applicant respectfully traverses each of the §103(a) rejections, each of which relies upon the teachings of U.S. Publication No. 2003/0103484 by Oommen *et al.* (hereinafter "Oommen"), because Oommen is not an available reference for §103(a) rejections in view

of 35 U.S.C. §103(c). Section 103(c) indicates that subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of 35 U.S.C. §102 shall not preclude patentability where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. MPEP §706.01(l)(1). First, Oommen is not available as a reference under §102(a) or (b) because the first publication date of Oommen (June 5, 2003) is later than at least the priority date claimed by the present application (September 20, 2002). Oommen is also not available as a reference under §102(c) or (d). Thus, Oommen must be asserted based upon §102(e), (f), and/or (g).

Oommen is owned by Nokia Corporation as evidenced by the assignment recorded at Reel/Frame No. 013736/0040 on February 4, 2003. The inventors of the instant invention were also subject to an obligation to assign the instant invention to Nokia Corporation at the time the invention was made. That obligation was fulfilled as evidenced by the assignment of the instant application to Nokia Corporation recorded at Reel/Frame No. 014902/0263 on January 20, 2004. In view of the above-evidenced common ownership, the Oommen U.S. publication is not available as a §103(a) reference thereby rendering each of the §103(a) rejections improper. Applicant accordingly requests that each of the §103(a) rejections be withdrawn.

Moreover, Applicant traverses each of the §103(a) rejections based upon the teachings of U.S. Patent No. 6,950,864 to Tsuchiya (hereinafter “Tsuchiya”) because Tsuchiya does not teach or suggest each of the limitations as asserted. More specifically, Tsuchiya does not teach assigning at least part of the content of a data element, in coded form, as an identifier for a management object. The cited portion of Tsuchiya at column four merely teaches that a management object identifier specifies a device address (in addition to the management object referred to). There is no indication that the management object identifier is at least part of the content of a data element that was predetermined from information in the management object. Thus, Tsuchiya’s management object identifier has not been shown to correspond to the claimed assignment of an identifier for a management object. As none of the further-relied upon references has been shown to overcome this

deficiency in the teachings of Tsuchiya, any combination of the asserted references must also fail to correspond to these limitations. Without a presentation of correspondence to each of the claimed limitations, each of the §103(a) rejections are further improper. Applicant accordingly requests that each of the rejections be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

In addition, new Claim 12 has been added. The subject matter of Claim 12 largely corresponds to the subject matter of at least original Claims 1 and 9; therefore, the addition of Claim 12 does not introduce new matter. New Claim 12 is also believed to be patentable over the asserted references for the reasons set forth above.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.050PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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